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# United States District Court

## EASTERN DISTRICT OF NORTH CAROLINA

### WESTERN DIVISION

VIRGINIA KIRKPATRICK, )  
Plaintiff, )  
 )  
v. )  
 )  
CAROLYN W. COLVIN, ) JUDGMENT  
*Acting Commissioner of Social Security,* ) CASE NO. 5:12-CV-263-D  
Defendant. )

Decision by the Court:

**IT IS ORDERED AND ADJUDGED** that the Court GRANTS Plaintiff's Motion for Judgment on the Pleadings [D.E. 24], DENIES the Commissioner's Motion for Judgment on the Pleadings [D.E. 25], and REMANDS the case for reconsideration under sentence six of 42 U.S.C. § 405(g). On remand, the Commissioner shall consider Kirkpatrick's July 2012 successful disability application.

THE ABOVE JUDGMENT WAS ENTERED TODAY, MAY 6, 2013, WITH A COPY TO:

Rachel C. Lane (via CM/ECF electronic notification)  
Jamie D.C. Dixon (via CM/ECF electronic notification)

May 6, 2013  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina